

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

INNOCENT MWESIGA,  
*Plaintiff,*

v.

TEXAS SOUTHERN UNIVERSITY  
COLLEGE OF PHARMACY AND  
HEALTH SCIENCES, DR. BARBARA  
E. HAYES, DEAN, and DR. SHIRLETTE  
G. MILTON, ASSISTANT DEAN  
STUDENT AFFAIRS,  
*Defendants.*

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CASE NO. \_\_\_\_\_

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**DECLARATION IN SUPPORT OF DEFENDANTS' NOTICE OF REMOVAL**

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I, Darren G. Gibson, declare as follows:

1. I am an Assistant Attorney General in the Texas Office of the Attorney General, General Litigation Division, and am the lead attorney in this action for Defendants.
2. I make this declaration based upon my personal knowledge and in support of Defendants' Notice of Removal.
3. On June 16, 2010, a hearing was held before the 113th Judicial District Court, Harris County, Hon. Patricia Hancock presiding, regarding Plaintiff's request for injunctive relief. Following that hearing, I inquired of Plaintiff's counsel as to whether the due process claim in Plaintiff's Original Petition is being asserted under the United States Constitution. Plaintiff's counsel responded in the affirmative.

I, Darren G. Gibson, declare under penalty of perjury that the foregoing is true and correct.

Dated: July 1, 2010

/s/ Darren G. Gibson

**DARREN G. GIBSON**

Texas Bar No. 24068846

Assistant Attorney General

General Litigation Division

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***ATTORNEY FOR DEFENDANTS***

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been sent *via U.S. Certified Mail, Return Receipt Requested*, on July 1, 2010, to:

Don R. Caggins, Sr.  
2030 North Loop West  
Suite 285  
Houston, Texas 77018  
*Attorney for Plaintiff*

/s/ Darren G. Gibson

**DARREN G. GIBSON**

Assistant Attorney General